

**APPENDIX TO BUENA SANITATION DISTRICT CONFLICT OF  
INTEREST CODE, DESIGNATED EMPLOYEES AND DISCLOSURE  
CATEGORIES**

<b>POSITION</b>	<b>DISCLOSURE CATEGORIES</b>
-----------------	------------------------------

**BOARD**

Chairman	1,2
Members of the Board	1,2

**CITY ATTORNEY'S DEPARTMENT**

<del>Buena Sanitation District Attorney</del>	<del>1,2</del>
District Counsel	1,2
<del>Assistant District Attorney</del>	<del>1,2</del>
Assistant District Counsel	1,2

- *Buena Sanitation District Attorney was retitled District Counsel and Assistant District Attorney was retitled Assistant District Counsel.*

**CITY MANAGER'S DEPARTMENT**

District Manager	1,2
Assistant District Manager	1,2
Accountant	1,2

**ENGINEERING DEPARTMENT**

<del>Director of Public Works/District Engineer</del>	<del>1,2</del>
Director of Engineering/Public Works	1,2
Assistant Director of Engineering/Public Works	1,2
Senior Engineer	2,4,5

- *The Director of Public Works/District Engineer was reclassified to Director of Engineering/Public Works*
- *The Assistant Director of Engineering/Public Works was added*

**FOOTNOTE:** *It has been determined that the positions listed below are "other public officials who manage public investments" and will file a statement of economic interests pursuant to Government Code Section 87200:*

Director of Finance	1,2
Members of the Investment Advisory Committee	1,2
Finance Manager	1,2

**RESOLUTION NO. 2004-20**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BUENA SANITATION DISTRICT ADOPTING A CONFLICT OF  
INTEREST CODE, ESTABLISHING THE LIST OF DESIGNATED  
EMPLOYEES, AND RESCINDING RESOLUTION 2002-20**

NOW THEREFORE, BE IT RESOLVED,

SECTION 1. Adoption of Conflict of Interest Code.

Pursuant to the requirements and authority of the Political Reform Act of 1974, California Government Code Section 81000, et seq., the provisions of Section 18730 of Title 2 of the California Code of Regulations are incorporated herein and adopted by reference as the Conflict of Interest Code of the Buena Sanitation District.

SECTION 2. Filing Requirements.

A. All persons required to file a financial disclosure statement pursuant to the Conflict of Interest Code adopted under Section 1 above shall file such statements with the Clerk of the Board of the Buena Sanitation District at such times and in the manner prescribed by the provisions of the Conflict of Interest Code.

B. Pursuant to Government Code Section 82011(b) and 87500 (j), the County Board of Supervisors is the code reviewing body and the filing officer for the Buena Sanitation District. The Clerk of the Board of the Buena Sanitation District shall make and retain a copy of the financial disclosure statements of the Members of the Board of Directors of the Buena Sanitation District and forward the original to the County Board of Supervisors. Members of the Board of Directors of the Buena Sanitation District may file an "Expanded Statement", covering territory of the District which is outside the jurisdiction of the City. If a member files an "Expanded Statement," the Clerk shall forward a copy of the statement with an original signature to the Board of Supervisors. Designated employees who are required to file statements under the City's Conflict of Interest Code may also file an "Expanded Statement".

C. The Clerk of the Board shall retain the originals of all other financial disclosure statements filed pursuant to this Resolution.

SECTION 3. Designated Employees.

A. From time to time, and not later than October 1 of each even numbered year, in accordance with Section 87306.5 of the Political Reform Act of 1974, upon order of the Board of Supervisors of the County of San Diego, the District Manager shall review the Conflict of Interest Code and submit to the Board any recommended changes. The Buena Sanitation District Board of Directors may adopt any changes required to the Conflict of Interest Code by Resolution, or may amend the listing of designated employees who are subject to the

requirements of this Resolution and shall submit such adoption or amendment to the County Board of Supervisors or respond in writing that no changes are needed.

B. The persons holding the positions enumerated in the list of designated employees, attached hereto as the Appendix, are "designated employees" within the meaning of the Conflict of Interest Code adopted pursuant to this Resolution, and shall file disclosure statements for each of the disclosure categories as defined in Section 4 below.

C. In addition to those persons holding the positions enumerated in the Appendix, attached hereto, every consultant employed by the Buena Sanitation District is a designated employee for purposes of this resolution and shall be required as a condition of employment to file a financial disclosure statement under the broadest disclosure category, except as follows: Upon petition, the District Manager may determine in writing that the scope of services to be provided by any consultant or the level of participation in any decision is necessarily limited and that such consultant is not subject to the requirements of the Conflict of Interest Code, or the disclosure category for such consultant shall be a narrower category. The District Manager's written determination shall include a description of the consultant's duties and, based upon that description, a statement of the basis for finding an exemption or such narrower disclosure record and shall be filed in the Office of the Clerk of the Board of the Buena Sanitation District in the same manner as required for financial disclosure statements.

#### SECTION 4. Disclosure categories.

As used in Section 3, disclosure categories are as follows:

- Category 1: Investments and business positions in business entities and sources of income.
- Category 2: Interests in real property.
- Category 3: Investments, and business positions in business entities, interests in real property, and sources of income subject to the regulatory, permit or licensing authority of the department, board, commission, or city agency.
- Category 4: Investments, and business positions in business entities, in business entities and sources of income which engage in land development, construction, acquisition or sale of real property.
- Category 5: Investments, and business positions in business entities, in business entities and sources of income of the type which, within the past two years, have contracted with the designee employee's department or board or commission, to provide services, supplies, materials, machinery or equipment.
- Category 6: Investments, and business positions in business entities, in business entities and sources of income of the type which, within the past two years, have contracted with the City, or a City agency, to provide services, supplies, materials, machinery or equipment.

SECTION 5. Exemptions

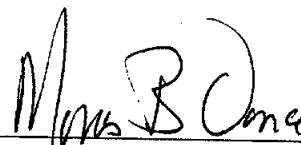
Pursuant to section 87100.1 of the Political Reform Act of 1974, a registered professional engineer of a licensed land surveyor who renders professional services as a consultant, either directly or through a firm in which he or she is employed or is a principal, is not required to file a financial disclosure statement under this Resolution, where the consultant renders professional engineering or land surveying services independently of the control and direction of the Buena Sanitation District and does not exercise public agency decision making authority as a contract District Engineer or surveyor pursuant to Sections 6703 or 8703 of the Business and Professions Code. However, this exemption shall not apply to that portion of the work performed by any registered professional engineer or licenses land surveyor in connection with any recommendation of the formula to spread costs of an assessment district if:

1. The engineer has received income or \$250.00 or more for such professional services within twelve (12) months prior to the creation of an assessment district; and,
2. The district includes other parcels in addition to those parcels for which the engineer received the income. The recommendation of the actual formula for spreading an assessment does not include preliminary site studies, preliminary engineering, plans, specifications, estimates, compliance with environmental laws and regulations, or the collection of data and information utilized in applying the formula.

SECTION 6. Resolution 2002-20 is hereby rescinded.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Buena Sanitation District held this 14<sup>th</sup> day of September, 2004, by the following vote:

AYES: CAMPBELL, CAMPO, GRONKE, RITTER, CHAIRPERSON VANCE  
NOES: NONE  
ABSTAIN: NONE



MORRIS B. VANCE, Chairperson

APPROVED AS TO FORM:  
J. Wayne Dernetz, City Attorney

By: 

ATTEST:  
Marc Kilian, Acting Clerk of the Board

By: 

**APPENDIX TO BUENA SANITATION DISTRICT CONFLICT OF  
INTEREST CODE, DESIGNATED EMPLOYEES AND DISCLOSURE  
CATEGORIES**

<b>POSITION</b>	<b>DISCLOSURE CATEGORIES</b>
-----------------	------------------------------

**BOARD**

Chairman	1,2
Members of the Board	1,2

**CITY ATTORNEY'S DEPARTMENT**

District Counsel	1,2
Assistant District Counsel	1,2

**CITY MANAGER'S DEPARTMENT**

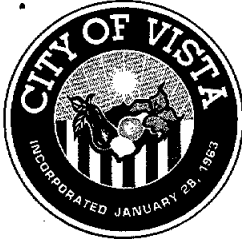
District Manager	1,2
Assistant District Manager	1,2
Accountant	1,2

**ENGINEERING DEPARTMENT**

Director of Engineering/Public Works	1,2
Assistant Director of Engineering/Public Works	1,2
Senior Engineer	2,4,5

**FOOTNOTE:** *It has been determined that the positions listed below are "other public officials who manage public investments" and will file a statement of economic interests pursuant to Government Code Section 87200:*

Director of Finance	1,2
Members of the Investment Advisory Committee	1,2
Finance Manager	1,2



# City of Vista

---

September 17, 2004

Thomas J. Pastuszka  
Clerk of the Board of Supervisors  
County of San Diego  
1600 Pacific Highway - Room 402  
San Diego, CA 92101-2471

**RE: Conflict of Interest Code, 2004 Local Biennial Notice**

Dear Mr. Pastuszka:

At the September 14, 2004 meeting, the Board of Directors of the Buena Sanitation District approved the Conflict of Interest Code, 2004 Biennial Notice. Enclosed please find an executed original, together with a copy of Resolution No. 2004-20 which approves the required changes.

If you have any questions, please contact Marci Kilian, Acting City Clerk, at (760) 726-1340, extension 1062.

Sincerely,

Rita R. Turnbull  
Administrative Secretary  
Office of the City Clerk

enc.

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS

2004 SEP 21 AM 8:20

THOMAS J PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS